

that still bear his name in his home State of West Virginia.

Senator Byrd won the admiration of all his colleagues for his study of the history of this body. He delivered hundreds of addresses on Senate history and procedure, as well as the debt we owe to the original Senate that governed Ancient Rome for centuries. For such work, Senator Byrd has earned the gratitude of all future generations of Americans.

Texans especially appreciate Senator Byrd's attention to the contributions of our Senators to the history of this body. Senator Sam Houston, the original occupant of the seat I hold, was described by Senator Byrd in this way:

The flamboyant Sam Houston of Texas used to stride into the old Senate chamber wearing such eye-catching accessories as a leopard-skin waist-coat, a bright red vest, or a Mexican sombrero. . . . He would while away the time in the old chamber by whittling, creating a pile of shavings beneath his desk, and pages would bring him his pine blocks and then clean up the shavings.

Senator Byrd also devoted several speeches of his history to the tenure of Senator Lyndon B. Johnson, which were all collected into a single chapter upon publication. In personal interviews with then-current and former Senators, Senator Byrd documents a remarkably personal account of Senator Johnson's leadership style and his influence over landmark legislation, including the Civil Rights Act of 1957.

During his discussion of Senator Johnson's use of the quorum call, Senator Byrd was asked to yield by his friend, Senator Russell Long of Louisiana, who wished to clarify his own recollection of the matter. Senator Long then continued with a fitting tribute to the Senator from West Virginia:

I have no doubt that in years to come, his will be the most authoritative text anyone will be able to find to say what did happen and what did not happen in the Senate, both while the Senator from West Virginia was a member and in the years prior thereto.

I can offer no better epitaph to Senator Byrd than that offered by his former colleague more than two decades ago. He and his beloved Erma have now been reunited, and we offer our condolences to their children, grandchildren, great-grandchildren, and all who miss him most.

#### SAVING WEAK BANKS

Ms. SNOWE. Mr. President, I ask unanimous consent that the article titled, SPIN METER: Program risks \$30B to save weak banks," published on August 1 by the Associated Press, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Associated Press, Aug. 1, 2010]  
SPIN METER: PROGRAM RISKS \$30B TO SAVE WEAK BANKS

(By Daniel Wagner)

WASHINGTON.—People are fed up with bank bailouts that risk taxpayer billions. The gov-

ernment's apparent solution: call them something else.

Congress is at work on a new program that would send \$30 billion to struggling community banks, in a process similar to the huge federal bailouts of big banks during the financial crisis. This time, money is more likely to disappear as a result of bank failures or fraud.

Two weeks ago, President Barack Obama declared an end to taxpayer bailouts when he signed a sweeping overhaul of financial rules. In his weekly radio and Internet address on Saturday, he described the new bailout program as "a common-sense" plan that would give badly needed lending help to small-business owners to expand and hire.

At its core, the program is another bank rescue. Some lenders need the bailouts to survive. Others could take the bailouts and crumble anyway. That's what happens when banks run out of capital—the money they must keep in case of unexpected losses. Banks with too little capital can be shuttered to protect the taxpayer-insured depositors they hold.

Or, under this proposal, many could get bailouts. The new money would be available to banks that are short on cash. It's supposedly reserved for banks deemed "viable." But regulators won't consider whether banks are viable now. They'll envision how strong a bank would be after receiving a fresh infusion cash from taxpayers and private investors. If the bank would become viable because of the bailout, the government can make it happen.

"This is a below-the-radar bailout for community banks," said Mark Williams, formerly a bank examiner with the Federal Reserve. "What we lack here is oversight and true accountability." He said the potential costs are far greater than the program's impact on small businesses. The change for them would barely be noticed, he said.

Small banks are struggling partly because the economy is so weak. For banks in the hardest-hit areas, it can be nearly impossible to recover once too many loans sour.

Yet the bill would require that banks be protected against "discrimination based on geography." It says the money must be available to lenders in areas with high unemployment.

Such banks are "only as strong as the loans they make in their communities," said Williams, now a finance professor at Boston University.

Also, the government knows far less about these lenders than about Wall Street megabanks. Many community banks are overseen by state regulators struggling under budget cuts and limited expertise. Many are ill-equipped to monitor banks during a crisis, Williams said.

The administration says the bill is not a bailout, but a way to spur lending to small businesses and bolster the shaky economic recovery. The idea is that businesses want bank loans, but banks don't have enough money to lend. And they say the program has to include riskier banks in order to work.

"When banking groups have advocated for measures that were about saving or bailing out struggling banks and not spurring small business lending, we have strongly opposed those proposals," said Gene Sperling, a senior counselor to Treasury Secretary Tim Geithner who has met with community bank lobbyists on the issue.

Sperling said Treasury rejected proposals to further lower the bar for which banks are considered "viable" or to let banks delay accounting for commercial real estate losses.

Some banks will have an easier time granting loans after receiving bailouts. But Federal Reserve Chairman Ben Bernanke and

others have questioned whether the problem is lack of capital, or if there simply aren't enough creditworthy borrowers.

The administration's haziness about whom the program benefits has fueled comparisons to the \$700 billion bailout known as the Troubled Asset Relief Program, or TARP. A few important differences make this bailout riskier.

The bailouts that started in 2008 were subject to oversight by a special watchdog. Neil Barofsky, who heads that inspector general's office, recently saved taxpayers \$553 million by stopping the Treasury from mailing a check to a failing bank accused of fraud.

Under the new law, it's not clear the money would have been saved. The new bailouts have the same investment structure, size limits and approval process as the old ones. Yet they aren't subject to Barofsky's oversight. His office has staff and procedures in place to monitor banks for bailout fraud—resources that cost taxpayers millions.

The new law creates an office that duplicates those efforts, and Barofsky's supporters say that's an effort to silence one of Treasury's loudest critics.

There's another reason banks want to join the new program: It will save them money.

Assuming they increase lending modestly, the banks will pay lower quarterly fees to Treasury. If lending falls, their fees will rise. But the banks still will pay less than they would to private investors, experts said.

Banks that were short on cash weren't even eligible for money from the \$700 billion financial bailout passed in 2008. Yet limiting it to healthy banks was no guarantee the money would be safe.

A few bailed-out banks have failed. One-sixth of them were behind on their quarterly payments to Treasury at the end of May, according to an analysis by University of Louisiana finance professor Linus Wilson.

"The problem is, they're not really picking healthy banks," Wilson said.

Legislation to put the new program in place ran into a roadblock in the Senate last week. Further action isn't expected until September, after lawmakers' summer break.

The measure has been the subject of a months long lobbying push by small bankers. Disclosures show that community bank bailouts have been the most common topic of Treasury's bailout meetings with lobbyists over the past 10 months.

The trade groups insist that smaller banks are not necessarily riskier because they weren't behind the speculation that nearly toppled Wall Street.

History suggests that's not true. Most of the 268 banks that have failed since 2008 were community banks.

The proposal has drawn little notice from a public weary of bailouts for Wall Street, auto makers, insurers and homebuyers.

Wilson said that shows how well it's been sold.

"If you put small business in the name, people will like it, and if you put banks in the name no one will like it—but the money is going to banks, not small businesses," he said.

#### UGANDA

Mr. FEINGOLD. Mr. President, I want to discuss the important relationship that our country has with the East African nation of Uganda. Last month, Uganda was targeted by horrific bombings that killed 76 people and wounded scores more. We all continue to mourn for the victims of this cowardly attack and sympathize with the people and government of Uganda. The